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ZARLEY MCKEE THOMTE VOORHEES & SEASE  
SUITE 3200  
801 GRAND AVENUE  
DES MOINES, IA 50309-2721

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**OFFICE OF PETITIONS**

In re Application of  
Martin High et al  
Application No. 09/827,833  
Filed: April 6, 2001  
Attorney Docket No. P05127US0

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**NOTICE**

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Initial Patent Examination Division.

  
Wan Laymon

Petitions Examiner  
Office of Petitions  
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